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THE NEW CANADIAN

An Independent Weekly for Canadians of Japanese Origin

No matter what the lyrics, Vancouver's Mayor blows a Nazi tune.
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Mountain Hermitage

D-DAY IN FRANCE

From early Monday evening (PWT) that modern marvel that helps make ghost town living a little more bearable took on a peculiar tenseness. By midnight, the growing excitement in the voices of the announcers was undeniable. Early in the morning the news that D-Day and H-Hour had really arrived was definitely confirmed. As soon as we woke again Tuesday morning, on went the radio, and every few minutes in came the bulletins—BBC in London, NBC in New York, the Blue Network.

Lying half asleep in the early morning with the gold of sunshine spilling over the kitchen table and the green poplars outside the window, the mind automatically reverted to that Sunday of two and a half years ago. Everyone of us can remember with startling clarity almost every detail of that day, as the air waves carried in the story and the premonition of unforseeable things to happen.

D-Day seemed more remote than that Sunday afternoon, glued to the radio. For our interest, no matter how keen, is largely an impersonal one. Schoolmates, boyhood friends, business acquaintances no doubt, are or were with the Canadians who secured their beachhead in two hours and forty-five minutes. But no brothers, nor uncles, nor fathers, nor friends who have shared the experiences of the past two years. Thus the curious air of detachment surrounding this D-Day.

It might have been otherwise had history followed a somewhat different course; had a government committee thought a little differently early in 1941, when on a split vote, it recommended against the enlistment of Canadian-born Orientals in the Canadian armed forces. It most certainly would have been different if our birthplace had been south, rather than north of the 49th parallel.

D-DAY IN OTTAWA

We await with confused anticipation a D-Day on Parliament Hill. If and when it comes, it will be curiously less remote than invasion in France. The Government has given an assurance that some definite statement on future policy will be given by the Prime Minister when estimates for the Department of External Affairs are up for discussion.

If the Prime Minister does give a statement, it may be an important one, announcing some definite new steps in policy, looking forward to a reasonable disposition of the "Japanese problem" before the end of the war. Whatever it is, it should put an end to some of the uncertainty which rises out of the unending vociferousness of Pacific Coast race baiters. It is a curious manifestation of prejudice which sees the volume of that agitation continuing to grow even while the tide of battle is rolled back and back upon the enemy's doorstep. But it serves to reveal, in no uncertain terms, how the pretext of military security cloaked the private motives of those who led the agitation for "military" evacuation.

D-DAY FOR GHOST TOWNERS

If D-Day in France can be regarded as the beginning of the end of the war, then it must needs be significant for ghost towners.

Although the records are not yet complete, it is apparent that instead of being accelerated, the rate of relocation has been slowing down. Certainly it is considerably less than a year ago, and the months when it might reasonably have been expected to reach the highest level have been disappointing.

For this the worried officials of the Government are not to blame. It seems, however, they are almost at their wit's end as to how to overcome the heavy burden of inertia that has penetrated every corner of the "ghost towns". The "disinclination to disperse", as Dr. Black puts it, is a very real force, and it may be that only [illegible]

Montreal Hostel To Aid Quebec Relocees

Sandon Ready For Transfer To New Homes

Hospital Now Closed; Older Men to Denver as Community Breaks up

SANDON, B. C.—Families who are now left here have all completed their applications at the Commission office for their second evacuation since the exodus from the Pacific coast. This follows the official announcement made by George Collins, superintendent of the B. C. Security Commission to the effect that Sandon would be the first interior town slated for closure.

Approximately fifty "old men" have already been resettled in Harris Ranch, New Denver, the movement of which was completed on May 25. Three of the larger families have taken the initiative, also having left for Harris Ranch. Steady movement is expected to continue but it is doubtful as to whether relocation will be completed by the end of the summer.

The hospital has already been closed and the patients distributed to hospitals in Slocan, Greenwood, Kaslo, Grand Forks and Nakusp. The nurse and the nurses-aides have accompanied the patients to the various towns.

With the dispersal of the folks from this centre, many organizations, including the Japanese Committee, Women's Organization, P.T.A., the Maintenance Committee of the High School (a committee entirely apart from the P.T.A.), "Shogi" club, and the "Kendo" club will be broken up.

Over two years of a well-organized and peaceful community is gradually coming to a close which brought this correspondent to write a "haiku" on the regrets that the centre noted for its huckleberries will no more see the Japanese evacuees scouring the countryside on huckleberry picking expeditions.

"Sai ido kokoro
nokoriya huckleberry"

HIGH SCHOOL NISEI AID VERNON FARMS

VERNON, B. C.—Orchard work in this area is expected to provide summer employment for a considerable group of young Niseis, mostly of high school age.

With thinning due to commence in a week's time, orchardists with a record potential crop of soft fruit and apples on the trees are exploring every avenue for local labor, but this help is not expected to be nearly enough.

Some seventy young Niseis from the Slocan Valley and other Kootenay settlements expect to travel to the North Okanagan to aid on the farms as soon as school terms are finished.

Schreiber "Manning Pool" Now Bone Dry as Men Go South to Essex Camp

ESSEX, Ont. — Fifteen more men arrived here at the farm service camp to work on the sugar beet farms in the Chatham district on May 29. With the closing of the Schrieber roadcamp, these men were transferred to the farms to alleviate the labor shortage.

The roadcamp which was the first of its kind to be opened in Ontario about two years ago, had, at the time it closed down, approximately twenty men working on the project. Fifteen of the men transferred to the sugar beet farms while the balance accepted outside employment voluntarily.

The workers who are now placed on the farm service camp are expected to have other farm duties besides sugar beeting during the slack season.

NEWS REEL

LABOR OFFICIAL INSPECTION

KASLO—H. Brown, Solicitor for the Department of Labor arrived here Thursday on a tour of the interior towns of B. C. He will make a first hand survey of the conditions in the towns and will continue his inspection in the Okanagan and other districts in British Columbia. George Collins B. C. Security Commission head is accompanying him on his inspection tour.

B.C. SHORT OF TEACHERS

VICTORIA—B. C. will again face a pressing need for school teachers at the opening of the fall term, Education Minister Perry said Tuesday. Seventeen schools, mostly in the north, now are closed for lack of teachers, and this year's normal school graduates will not be sufficient to fill all vacancies.

SEEK PRAIRIE PICKERS

EDMONTON — The B. C. Berry Growers, facing an acute shortage of farm help, have requested the assistance of Alberta labor according to the manager of the Edmonton branch of the Selective Service.

First movement of workers to help in berry picking is expected to begin on June 12. Only women workers are required according to B. C. authorities.

BOOST RED CROSS FUND

PICTURE BUTTE, Alta. — A substantial sum donated by the Japanese sugar beeters in and around Picture Butte helped boost the Red Cross drive for funds over the top for a record realization of cash and pledges.

SPANISH VICE-CONSUL HERE

KASLO—F. P. Bernard, Vice-Consul of Spain visited Kaslo recently and met with the spokesman of the Japanese Nationals of this centre and heard mild complaints in respect to welfare and medical administration. The consul later conferred with the supervisor. He left for Sandon immediately after the meeting.

Franciscan Mission Sponsors Low Rent Dwelling for Families and Single Men

MONTREAL — Alteration work has been begun at an outlay of $25,000 to convert a three-storey building near downtown Montreal into a dwelling to aid in the resettlement of relocees in the province of Quebec. Sponsoring the project is the Franciscan Mission of this city which purchased the premises specially for this purpose from the Trinitarian Fathers.

Upon completion, the dwelling will have about fifteen two-to-five-room apartments for family use and some twenty single rooms for unmarried persons. All apartment rooms are heated and most rooms will have running hot and cold water and gas.

NOMINAL RENT

Rental charges will be nominal and will just cover the cost to make the project self-supporting. Apartments will be let at prices ranging from $20 to $35, and single rooms from $10 to $20 a month.

Representatives from the Montreal office of the B. C. Security Commission and inspectors from the City of Montreal's Health Department have already inspected the place and given their approval.

The actual work of administration is at present in the hands of Yoshiesi Ebata, acting general manager, and Dr. George C. Hori of St. Mary's Hospital, formerly of Vancouver and a graduate of U. B. C.

Rooms for individuals will be furnished but it is expected that families will provide their own furniture although each flat is being provided with a gas range and a sink.

A few rooms were ready for occupancy in late May.

NON DENOMINATIONAL

Dr. Hori stressed the fact that although the venture has the approval of His Excellency the Most Reverend Archbishop Charbonneau of this city, it is strictly non-denominational and will be open to any single man or family as far as accommodations will permit.

Further information may be obtained by writing to Dr. Hori at St. Mary's Hospital or to Mr. Y. Ebata Mary's Hospital or to Mr. Y. Ebata, 1618 St. Luke Street.

Plans are also being considered to start a similar centre for Nisei girls in another part of the city.

"Allow Americans To Return Home With Military OK" —WRA Director

WASHINGTON—Japanese American evacuees from the west coast should be permitted to return to their former homes as soon as the military situation warrants, Dillon S. Myer, national director of the War Relocation Authority, told a House appropriations subcommittee in Washington recently, the United Press reported on May 25 when transcripts of the hearing were made public.

Myer revealed that about 500 of the 112,000 persons of Japanese ancestry who were evacuated from their west coast homes in 1942 already have been permitted to return to their west coast homes reported the Pacific Citizen. Most of these people, he explained, were wives of Caucasian citizens and their children, adding that they are usually American citizens "both by birth and parentage."

The Associated Press reported that Myer had told the congressional committee that he knew of no sabotage or espionage by west coast residents of Japanese ancestry since Pearl Harbor, and that he had found no evidence to indicate that persons of Japanese ancestry had been deliberately placed near stragetic military establishments on the west coast by the Japanese government prior to Pearl Harbor.

TORONTO DISCUSSION

TORONTO—Delegates to the annual meeting of the Dominion Board of the Women's Missionary Society of the United Church met in a pre-conference Tuesday and discussed the predicament and the "problem" of the Japanese Canadians.

The conference which is to end today, was represented by W. M. S. members from all parts of Canada. Mrs. E.H. Armitage, wife of Rev. Armitage of Kaslo was one of the delegates from B. C.

Cornett Conducts Race Baiters:

Vancouver Council Declines Vote on Postwar Expulsion

VANCOUVER—The session of the City Council Monday was the scene of a verbal battle as the aldermen declined to ballot on a split 4 to 3 vote on a resolution from Mayor Cornett urging the Dominion Government to repatriate all Japanese after the war.

Due to the absence of Alderman H. L. Corey and Charles Jones, the motion was tabled until the full aldermanic board of the nine members have had an opportunity to vote. This delay may postpone the decision until late summer said The Vancouver Province, as two members of the Council are expected to be absent in the east and the summer holidays are in the offing.

Ald. John Bennett saying that he believed in "fairness and tolerance" saw no reason why the Council should repudiate a resolution passed in September, 1942, in which Ottawa was urged to repatriate only the Japanese born or disloyal and distribute the Canadian born and loyal Japanese on a quota basis to the nine provinces.

In [illegible] protests against Mayor Cornett's statement to the [illegible]

Council would permit the Canadian born Japanese to stay, the mayor said that in view of the Council's refusal to pass a blanket repatriation resolution he had proposed two years ago, he could not say that he was wholeheartedly supported in his stand.

Alderman can put themselves fairly on the records now by passing a resolution asking Ottawa to repatriate all Japanese in Canada after the war, he said.

Ald. G. H. Worthington favored the immediate adoption of the mayor's resolution, contending any hesitation would reflect on the whole council's loyalty and integrity. He explained that he did not want to be looked on as a Quisling to which Alderman Bennett retorted.

"Is a man disloyal because he disagrees with somebody else?"

Alderman Worthington's reply was that persons who wanted to retain Japanese in Canada was disloyal.

Although the mayor's resolution is [illegible]

Hamilton Church Conference Backs Christian Neighborliness, Friendship

HAMILTON, Ont. — A plea for equality and a resolution to help the Japanese Canadians was made at the morning session of the United Church conference held at the McMaster University last Thursday.

Rev. G. A. Faichney of Galt who made the appeal on behalf of the Japanese Canadians charged that there was in Canada "an element that has the Nazi ideology toward them", reported the Hamilton Spectator. He stated that the unfair treatment of the Canadians of Japanese extraction was worse than that suffered by the Jews under Nazi [illegible]

[illegible]

... and properties of the Japanese Canadians by a custodian at prices that anyone had to offer. "They are Canada are loyal to Canada and yet cannot own their own property," he said.

The suggestion of Rev. W. H. Fike of Hamilton that steps be taken to request the Government to accept Japanese Canadians in the armed forces was ruled out of order. He also urged that justice be shown in the matter of owning property.

A motion which was carried [illegible] [illegible]

THE NEW CANADIAN

P. O. Drawer A Kaslo, B. C.

An Independent Weekly Organ Published as a Medium of Expression Among the People of Japanese Origin in Canada.

POSTWAR FOREWARNING

A forewarning of some concrete postwar difficulties which many Japanese Canadians might expect to face at the war's end is given in the announcement that the housing settlement at Sandon is to be closed.

The community there, which after two years of adjustment had settled itself into a well-ordered routine, is steadily breaking up as the people prepare to move elsewhere. And before the end of the summer it is expected that the historic mining town will once again be left to the silence and the memories of its ghosts and its mountains.

Under present conditions, though meeting with the inconvenience of moving, the residents will not suffer great difficulties in finding new homes for the second time since Pearl Harbour. Some have already been transferred to neighboring housing settlements, and it is likely that a majority of the others will gradually follow in their footsteps.

But the closing of the town is significant in the vivid warnings it raises for the future. The obvious question is that at the end of the war, is the Government likely to carry on the same responsibilities for the welfare of evacuees it now rightfully discharges. Is it probable that the arrangements for housing and maintenance in interior settlements will be continued for longer than a brief period after the cessation of hostilities? And if the answer is, "No", then those still in the centres and dependent upon the Government must face a very real problem. Will they be able to support themselves where they are, or if not where are they to go?

The answer that some obviously may have is to go to Japan—either from choice or because they are forcibly expelled. Yet it is clear that such a movement, whether voluntary or compulsory, is still a most uncertain one and the developments in national and international affairs are not helping to clear up that uncertainty. The thought is, in fact, entertained chiefly because of a refusal to face the complex realities of the situation today.

It is true that even those of us who have followed the relocation trail to settle themselves once again in normal society face a similar problem of postwar dislocation. But it is by no means as certain as the eventual closing of all the interior settlements. And certainly they will be better prepared by their struggle and efforts now, both economically and morally, to face any strain that may arise in the postwar period.

PITH AND SUBSTANCE

Legal language is not designed for easy, understandable reading even by lawyers themselves. Hence many of our readers, interested though they may be in the legal points raised by the property case, may have had some difficulty in getting down through the verbiage of the report to the "pith and substance" of the matter.

In brief, as we see it, Mr. Justice Thorson must settle two questions before giving any decision. First, he must decide the technical point of whether the Custodian is a servant of the Crown, since only in that case can the Exchequer Court review the matter. If the Custodian is not a Crown servant, then the owners cannot seek relief from the Government through that Court.

But if the correct legal form and procedure has been observed, then the Judge must decide if the order-in-council issued by the Government under the authority of the War Measures Act and giving the Custodian the power to sell the property is constitutional or not. Under the peculiar system of justice which has evolved in British countries, there is no legal guarantee of democratic rights, other than their constitutionality.

THE CONFUSED LEGION

The peculiar confusion in thinking which turns up so often in any matter relating to persons of Japanese origin in Canada is perhaps no better illustrated than in the record of the recent provincial convention of the Canadian Legion.

A resolution receiving unanimous approval asked that no German be allowed to immigrate to Canada at all "until such time as the German peoples present a different system of thought, which will guarantee the peace of the world."

But the same convention, in odd contrast, sustained a resolution wholly in accord with just that system of thought which does not guarantee the peace of the world. The Legion asked for the deportation of all persons of Japanese origin in the Dominion, without regard to individual rights or beliefs, citizenship or non-citizenship, democratic or fascist procedure.

A protest that the resolution was comparable in its intolerance with Nazism received the support of only a minority of the war veterans. Most of the delegates, it would appear, saw no reason why pots should not call kettles black.

—We wonder, in passing reflection, what course they - and Vancouver's Mayor Cornett and Pensions Minister Mackenzie—would recommend for the forty-odd surviving Canadian veterans of World War I who still wear the badge of the Canadian Legion, B.E.S.L., No. 9 Japanese branch. We wonder what answer they have to the letters written the Editor of Life Magazine two weeks ago and reprinted here below in these columns.

Nisei in the Army

WINNIPEG FREE PRESS

There is a battalion of Japanese Americans fighting with great courage and steadfastness in the Fifth Army in Italy, according to an Associated Press correspondent. Half the officers of the battalion are Japanese and the other ranks are entirely Japanese, mostly from the Hawaiian Islands. They have been in Italy since last September, fighting bravely at the Volturno River and before Cassino, and lately in the Anzio beach-head.

For valiant service, this battalion has been awarded three Distinguished Service Crosses, 21 Bronze Stars, 36 Silver Stars, and 900 Purple Hearts (many of which were awarded posthumously).

Generals have commended their courage and fighting qualities, according to the correspondent, who says that "they have gone through the infantryman's hell and come through unshaken." They must have brought strong reinforcements, for they have had 900 casualties.

The record of this unit in the United States army is featured in the New Canadian, published by Japanese Canadians at Kaslo, B. C., where some 13,000 Japanese, who were moved away from the coast, are now living under surveillance. The report is published, no doubt, with the suggestion that loyal Japanese Canadians would have served with the same distinction if they had been given a chance.

That this is true need not be questioned, for there are many good Canadian citizens among the Japanese who were born in this country or have been naturalized. But there are not nearly so many Japanese in Canada as in the United States and it would have been impossible to form a battalion, with reinforcements. This fact, and the difficulty of enlisting them in any other way, may have been the reason why they were not taken in the Canadian forces. If they were included in other units, suspicions and opposition might have caused trouble.

In the United States this was avoided by forming a separate unit. The 100th Battalion must now have won the respect of the other units of the 34th Division, for in actual warfare there is always the highest regard for men who show the stamina and courage of real fighters.

What We're Fighting For

In its May 1 issue, LIFE Magazine reported on what has become one of the most celebrated instances of prejudice in the United States Government policy of relocating west coast evacuees in self-containing employment in new homes. A group of farm workers were placed on a farm at Great Meadows, New Jersey, but so hostile were neighboring farmers that the group were finally forced to leave. LIFE's report on the incident provoked the following letters from its readers:

"I have spent three years in the Army learning to fight Nazism only to get stabbed in the back in my own backyard by a bunch a rabble rousers in Great Meadows, N. J.—so have 10 million other servicemen and women who are fighting for democracy.

PFC M. F. [illegible]

Fort Custer, Mich.

"My husband, along with a couple of million other Americans, is now in the Army because a group in Germany took the attitude toward 'Mr. Finkelstein' that Great Meadows, N. J., has taken toward 'Mr. Yamamoto.'"

Mary A. [illegible], R. N.

Rochester, Minn.

"The narrow-mindedness of some of our New Jersey citizens is unforgivable! Apparently they have forgotten the thousands of Japanese, Germans, Italians and others who are fighting with us side by side. We have faith in them. Why shouldn't anyone else?"

[illegible]

San Francisco, California.

'Broken Sunlight'

By K. O.

Kaichi came to Toronto on his '29 Essex and told me that I was riding back with him to London, 120 miles away.

Kaichi, George, and I started along the Queen Elizabeth highway leaving Toronto by way of Sunnyside. All the cars that came after passed us, but we were in no mood for racing.

We passed thru Paris, Woodstock, Ingersoll, by-passed Brantford. On the way we stopped for gas, once for human reasons.

Kaichi got impatient when we neared London. The car let out a roar and began burning up the road at 40 miles an hour.

We entered London, paraded down its main street (Dundas), and turned into Talbot Street. Four blocks from home the car gasped and gave up its ghost.

"Holy cow," said Kaichi.

George, and I got out and pushed.

Kaichi lives with his sister Lyn in a 2-room flat on 464 Talbot street. Harmonica-playing Roy has another room and shares his meals with Kaichi and Lyn. Lyn helps to prepare the lunches for Kaichi and Roy.

Kaichi works in a garage, Lyn houseworks, and Roy is a shipper at the steel foundry.

Other Niseis are employed at the foundry, and at Hines tannery. London Niseis are lonesome, and suffer from girl shortage.

I went to see the Niseis who were playing basketball against the hakujins. There were only half a dozen spectators in this modern school gymnasium. There was the familiar smell of sweat.

Art and Tam came over at half-time. We shook hands and greeted each other in the way friends do, but their minds were on the game. That is the way it should be, I thought.

Tam is an M.A. Art has one year at the U.B.C. before the evacuation. Both are working at the steel foundry.

"Thinking of going back to school?" I asked Art. He shook his head.

"Wish you could go back?" I asked again. Art's face lighted up for a moment in a wistful smile as he said "I sure do".

The whistle blew and they hurried back to the game.

The Japanese workers at Hines tannery in London sleep in a sort of bunkhouse, and eat together at the mess table a little before 11 p.m.

Don Sugiman, Jerry Nozuye, in dressing gowns, and Fred Nishizaki in a plaid shirt and black pants came out to see us.

I felt homesick for old times when I saw their familiar faces. What a lot had happened and how strange that we should meet now—for only a moment.

"If you ever go to Sandon tell dad I'm doing alright," said Don.

"Sure," I said.

They were getting along O.K. though they were not too enthusiastic.

I wished them luck and left. They had to get up early next morning. Sometimes a guy hates like hell to say good-bye, but what else is there to do?

Genus "Homo Sapiens"

(John Rowe in the Lemon Creek High School Annual)

Coming down to Lemon Creek every week has been a pleasure. Unlike another of your teachers, I don't turn green when the bus begins to swing out and around; furthermore, thoughts of Math classes at the end of the trail leave me unruffled and serene—so the enjoyment of meeting people in and out of school is strictly on the credit side.

A pity we couldn't all be meeting new friends weekly. I don't mean just travelling to New Denver (big thrill, eh?) or even Kaslo, but visiting unpronouncable towns in strange countries. Drop in on Villavicencio or Krasnovodsk, what? Then we would quickly learn a lesson that is only slowly absorbed from school studies, namely, that people everywhere are about the same as we, with the same feelings and wants. In other words, each one of us is a a typical sample of humanity!

And that's handy, too. These days when we "don't get around much anymore" we can learn a lot about other people by studying ourselves (and our friends when they aren't on the alert). For instance, if we find greed, prejudice and bitterness against other groups, we get an insight into the minds of the majority of the world's people today, a glimpse of the causes of wars with their attendant relocation camps, plus other much more disagreeable things. Armed with some understanding of these troubles, we can take a cut at their roots.

Did you know that those friends of Tarzan, the anthropoid apes, have almost exactly the same structure as man,—bone for bone—muscle for muscle—and that they show a great deal of real intelligence? Then "what have we got that animals haven't got," how can we distinguish man from intelligent apes? This way: Man is the only being who can make up his mind to be kind and neighborly to all come what may, and stick to it! It's an easy slide down to the animal stage—live-for-the-moment and me-for-myself-stuff—but living on the animal level doesn't seem to do much for human problems.

Only when we begin acting human will we deserve the scientific title "Homo sapiens"—"man the wise" (sometimes erroneously translated "Wise guy".)

CROSS TALK

Let's talk about your health. Of the many topics of the day it's the least discussed. Good health is one of the best assets a Nisei can and does have but often it is just taken for granted. Niseis may look to a brighter social, political and economic post war future, but without good health they will be only able to enjoy just a part of it.

Although a lot of people hate to admit it, there's a definite relationship between man's mental ability and his physical condition.

How many Niseis are eating properly? Going East alone created many problems for the Nisei and one of them is eating properly. Generally speaking, overeating or unwise eating is followed by a lazy feeling and a desire to sleep. During this period the mind is less active. If the food proves indigestible, a headache may develop in a few hours along with a gloomy, nagging or disgusted-with-life feeling. If the food does not contain the proper amount of vitamins, a much more serious trouble will be the outcome—a man cannot do his best work when feeling this way.

Ever hear of "blue" Mondays? They are no myths. They are quite real and are caused by unwise eating and too little mental and physical exercise over the week-end—combined with troubled sleep or too little sleep. Because it takes several days for the human system to get back to normal, often after such a week-end, it might be Wednesday or later before you are mentally alert again. Then you will find it easy to concentrate; work is a pleasure and the day doesn't drag as it did on Monday and Tuesday. Life really becomes worthwhile and you say to yourself: "Gee but I wish it were like this every day."

But every day can be like this if you take proper care of yourself; if you follow the simple rules of health; if you take a brisk walk each day in the open air and above all if you get a good sound sleep and enough of it each night. Sleep is all-important.

Give your health the attention it deserves and you will be rewarded many times by increased happiness and increased [illegible] in your life.

ボツボツ進行する サンドン在住者の再移動
大部分は移轉希望地を申込みずみ

（サンドン通信）コリンス轉住局長がサンドンを退から本閉鎖すると默明して以來、遲々ではありながらも再移動計畫は進められ、所謂サンドン老人組の一團五十餘名は五月廿五日までに全部ニウデンヴァーのハリスランチへ移されたのを手始めに現在までに三つの大家族が同じくハリスランチへ移り、今後もボツボツと再移動が實行される模様で、一時九百餘名の人を擁してゐたサンドンも日々に人口が減つて、既に病院も六月一日限りで完全に閉院の形となり、在院患者は悉くスローカン、グリーンウッド、カズロー、グランドフォークス、チカスラ方面へそれぞれ轉院させられ附屬の看護婦達は醫師と共に轉院した。コリンス氏の許可通り夏季終了までに移轉が完了するか否かは判らぬとしても大部分の人々は各々再移動希望地をコミッション事務所へ申込みずみとなつてゐる。斯うして移動二ケ年餘り統制のとれた小都村サンドンも戦前の盛大同然の情勢下にあう。日本人委員會、婦人會、佛教會、靑年倶樂部、劍道々場、ハイ校、移台等々何れも解散完了と同時に四分五裂の運命におかれて、うたた感慨を深くする次第である（六月一日、杉万生）

再移動心配りやパッコペリー　芳月

高齢者慰安
カズロー交友會が敬老會を開催

カズローでは市の主催で五月廿四日のエンパイアデーにスポーツ大會を擧行する筈だつたが雨の爲延期して六月八日のサンヂス・パーク・ステート祝日に之をヴィミ・パークで擧行、日系學童を始め日本人側も參加し盛大だつたがカズロー交友會も賞金を寄附した。人氣をとつて當日の賞金は日本人側ふりとし集めた野球戦ではカズロー日系軍が遠征して來たスローカン白人軍に十一對九で快勝した。又交友會ではアッパー・ブース・テールを記念して來る十七日の慶に在留日本人中七十歳以上の高齢者を慰安する敬老會を催す事になり目下準備中

幼稚園落成
スローカン聖公會のハイ校も好評

（スローカン通信）日本人聖公會のミッションボード、幼稚園隊の會館其他の援助によつて建設中だつたベイファーム幼稚園は此の程落成し五月三十一日にスローカンのコミッション監督ナダムス氏、聖公會のゲール長老其他列席の下に開園式が行はれた。又六月三日にはヤングピースター・クラブ主催のピクニックがベースボール・パークで開催された。尚オンタリオ州シーダースプリングに移住した山浦甲氏より當地聖公會の中山牧師に來た手紙によると、聖公會のハイスクールに學んでゐた山浦氏の息女照美さんはシーダースプリングのハイ校に入つたが他の生徒に比して何等の遜色がないばかりか進歩状態に校長はじめ驚いてゐるぐらゐだと云ふことで、山浦氏はミスヒリップス其他聖公會のハイ校先生達のよき指導を感謝してゐる。

スペイン副領事

晩香坡駐在のスペイン副領事パナ

…ド氏は先週末カズローを訪問し日本人ナショナル代表からウェルファイ、降原、其他諸種の問題に關する事情を聴取し、コミッション當局とも會つた後サンドンへ向つた。

バーノンで
二世學生多數が果樹園に就働の見込み

（ヴァーノン發）當地方果樹園の夏季就働者として多數の日系二世學生としてハイ校生徒が得られるとも見られてゐる。アップルなどの間引はあと三週間もしたら開始されるだらうと見られてゐるが、施肥の勞働者だけでは手が廻りかねるのであり、スローカン・ヴァレー其他から七十餘名の二世靑年が學校の休み開始と共に北部オカナガンにやつて來て農園勞働を援助することと見られてゐる。

苺の最高値段設定

（オタワ發）オタワ政府の物價局は本年のストローベリー及ラズベリーに對する最高限度價格を設定した。昨年の最高價格よりも低いが一九四二年の値段よりも高い。右に對しビーシー州選出の代議士はオタワ議會で強硬に抗議してる。

（エドモントン發）ビーシー州の苺栽培者は勞働力不足で大に困つてをりセレクチヴ・サーヴィス當局のヘドモントン支局に對して援助方を求めてゐるが、得られるのは婦人の働き手だけで第一回は六月十二日に出發する豫定。

プリンストン方面の道路
現場に新キャンプを開設して工事を進む

（プリンストン、サドンツト第四キャンプ通信）冬期中一時的に閉鎖されてゐた當キャンプが五月二十日より再び開設されライダー・クリーク第五キャンプの全員が昨年通り此所に就働することになつた。此所はプリンストンから約五十三哩、ホープ（三十七哩）の途點に位し標拔四千四百呎の高所にあり、數日前から降り積つた雪が五月末でも一尺五寸も積るといふ有様、其上交通も不便であるが景色は佳し、キャンプ前の小川には一年中を通して清冽な水が流れてゐるので夏季の働き場所として歡迎されてゐると云へる。我々同僚の間から普通産業へ轉出した者は今春以來五十名で現在の全員は三十八名であるが、インジニアの話では近日中に第一、第二の兩隊キャンプから十名宛補充し若干名のロッカーを選んで此所から約六哩ホープ側に寄つた所に新キャンプを開設する計畫ださうで、道路工事も本格的に完成を目ざして開始されたさうである。尚前原、鈴木、田中、木寺の諸氏はオンタリオ州の農園へ行つた。

アルバタの農産物
好收穫を豫想

（エドモントン發）過去三週間に亘つてよい降雨があつたので本年の農産物收穫は良好だらうといふ豫想がアルバータ州農務省から發表された。然し南部アルバータ方面では雨の見られない所がありレスブリッヂ、マグラス、スターリング、テーバー等では數時間に亘る驟雨があつたがコールデール方面は殆ど素通りした有様だつた。

スクライバーのキャンプ閉まる

（オンタリオ州エセックス通信）永い間日本人に親しまれてあつたスクライバーのキャンプも今度當局の方針により閉めることとなり、二十七餘名の就働者中數名は各自の思ふ方面へ、他の殘り十五名は五月廿九日までに全部がエセックスの農業勞働キャンプに移つた。スチームボート・ヴィスとして主にシュガー・ビート農園で働き其の餘暇には他の仕事に働く事も出來る筈である。

○

（ピクチュアビュート發）ピクチュアビュート地方に在る日本人シュガービーツ勞働者は赤十字の募金募集運動を大に援助して豫定額を突破せしめた。

人事消息

■婚約　グリーナの吉開末吉氏三女榮子さんとヴァーノンの千葉孟氏三男英雄氏は尾形豊造、園田立彦兩氏夫妻の媒妁で婚約

■死亡　タシメの渡邊忠正氏三男陣男さん（三一）は五月三十日午前十時頃よりも行方不明となつたのでボーイスカウトはじめ在留者總動員で捜索に從事、午後一時頃村から半哩下のタシメ河にて溺死してゐるのを發見された。肉屋の前の崖から落ちたものと見られてゐるが廿二日葬儀を執行した▲グリンウッドの今井小一氏三女和美孃（八ケ月）は五月廿六日病院で死去、廿八日自宅で田中導師の司式で通夜を兼ね葬儀を執行した

■葬儀　五月十三日死去したアルバータ州ウエーリングの木下淺次郎氏の葬儀は五月十五日レイモンド佛教會にて作田開教使司式で行はれた

◉感謝　ニウデンヴァーのサナトリアム患者一同は△同地のミセス・ファーニー、ミス・ロビンソン、サンドンの桑原キチ夫人より圖書部へ圖書△ニウデンヴァー婦人會より度々の慰問品寄贈に深謝してゐる

結婚紹介所

▲姓名▲年齢▲學歴▲配偶者への希望—等を記し希望者は本人又は保護者より左記へ申込下さい
◉結婚成立までは責任を以て絶對秘密を厳守します

TORONTO ISSEI COMMITTEE
c/o Miss F. Bird
51 Bond St., Toronto 2, Ont.

本紙援助を感謝

マニトバ州オークブラッフ尾家本茂六氏よりニューカナデアン援助の寄附金を頂いたことに對し紙上で深謝いたします

ニューカナデアン

私共永らくサンドン病院在院中は皆様より格別のご同情お見舞を頂き且つドクター及看護婦より丁寧なる取扱を受け篤厚な處遇に預り今回グランドフォークス病院に轉院致す出發に際し衷心より御禮申上げます

六月一日　吉田千太郎　西村熊太郎　保谷榮助

ドクター、看護婦、婦人會、日本人委員會、外御一同樣

過去一年有半私共ペイファーム在留中は一方ならぬご交誼を賜り皆様の御厚意有難く深謝致し居り候處今回家事の都合上不得已一家族一同アルバータに再移動する事になり當地を出發に際しては遠路態々お見送り下され且つ又數々の餞別を賜はりご懇情の程厚く御禮申上げます何卒この上ともご交誼を賜り度く乍略儀紙上を以て御禮申上候

在レイモンド　郵函一二五　林　實一　家族一同

ペイファーム在留御一同樣

木下淺次郎儀急病にて五月十三日午前五時逝去仕候間生前辱知諸彦に謹告仕候 尚十五日レイモンド佛教會に於て作田開教使司式の下に葬儀執行の際はご多忙中にも不拘遠路ご會葬を賜はり且つ供花香典等ご芳志に預り深謝の至りに堪へず右略儀ながら紙上を以て厚く御禮申上候

妻 木下トキ
息 木下保
　ミナヲ
孫 貞子
娘（在日本） 木下[illegible]
弟（在日本） 松下顯一
甥 松下[illegible]
義兄 中島[illegible]
義兄 中島[illegible]
義弟（在オンタリオ） 中島卯三郎
親族代表 大野秀子
友人代表 久野健[illegible]　砂田[illegible]太郎

アキ儀五月二十七日[illegible]

[illegible]

和美儀[illegible]三日午前[illegible]時[illegible]死去[illegible]

[illegible]

五月[illegible]十七日

輝男（三一）儀五月三十日[illegible]

[illegible]

昭和拾九年五月

[illegible]

聯合軍の西部ヨーロツパ侵攻開始

北佛海岸上陸作戰に成功「滿足に進行中」

要地バイユーを占領しドイツ軍一部を孤立に陷らしむ

（聯合軍總司令部六月六日發表）聯合軍は西部歐洲侵攻の前哨戰をして連日の如く海岸配備のドイツ軍陣地に對する交通機關其他に對する爆擊を續行してゐたが、愈六月六日早朝より北部フランスへの侵攻を開始した。アイゼンハウアー總司令官本部より發表された侵攻開始は聯合軍側發表に先だつ三時間前にドイツ側より發表したのであるが上陸地點はフランス北部のルアーブルとシエルブール間のセーヌ灣及ノルマンディー半島の全線、一部でカナダ軍も參加して海空軍掩護の下に行はれ落下傘部隊もノルマンデイー半島九哩の內地に上陸した。

（聯合軍總司令部六月七日發表）フランス海岸に上陸した聯合軍は海空軍掩護の下にドシノーを進擊しつゝあり後繼部隊も英佛海峽を渡りつゝある。モントゴメリー將軍麾下の部隊はパリーシエルブール間鐵道をカンに於て遮斷したがこの鐵道はノルマンディー半島におけるドイツ軍への主要補給路である。ドイツ側放送は聯合軍が更にオルヌ河口（カン市の下）に海軍掩護の下に上陸、激戰展開中と報じてゐるが、チャーチル首相は聯合軍がオルヌ河の上流九哩のカンに於て戰鬪中である事を發表、「侵攻は成功で豫期された程の損害なく滿足に進行中」と述べてゐる。

（聯合軍總司令部六月八日發表）本日聯合軍はノルマンディー半島のドイツ要塞地バイユー市（海岸より五哩）を占領、バイユーとカンの間のハイウエーを遮斷した。バイユーはパリからカンを經てシエルブールに通ずる鐵道とハイウエーの通じてゐる所なのでシエルブールのドイツ兵を孤立せしめた事になる。

（聯合軍總司令部六月九日發表）ノルマンディー半島一帶の聯合軍は全線に亘り進擊中で侵攻は第二段階に入つたが援兵も補給も豫定通りに進んでゐる。六月一日より上陸侵攻の月曜日五日に於ける聯合軍の空軍出擊は三萬一千回に上り、上陸開始より九日までの出擊は二萬七千回であるが損害は一パーセントだけで聯合軍は今やフランス內に飛行基地を確保、之に對するドイツ空軍の出擊は少く僅である。上陸作戰には一千機以上の兵隊輸送機が使用されたが之は史上未曾有の大掛りなものである。

ローマは六月四日に陷落

（ナポリ發）米加の步兵部隊と合んだ聯合軍の第五軍は六月四日遂にローマを占領した。第五軍と第八軍が攻擊を開始してより二十四日目、海岸のアンジオから第五軍がローマに向けて進擊を始めて以來十二日目である。此の結果イタリーのエマヌエル皇帝は退位して皇太子ウンベルトに位を讓つた。南聯合軍はローマ北方へ進擊中。

財產問題裁(判)の辯論要旨

（オタワ特電）五月廿九、卅の兩日に亘りエキスチエカー・コートに於てゾーリン判事により審理された移動日本人財產強制賣却處分に關する裁判は判決を保留されたが財產所有者側の辯護士マクレナン氏が提出した「ペチシヨン・オブ・ライト」（人民の權利訴願、政府の處分に對し其の是正方を請願する事）は、財產所有者より之らの財產賣却處分を禁止する命令を發して貰ひたいといふのが主眼で「カストデアンは財產の番人に反して財產を賣[illegible]此の賣却處分の權限を與へた勅令は勅令で非合法な勅令で、勅令は財產處分乃至は賣却の權限を與へて之を許可する權利を與へてゐるものでなく、從つてカストデアンは單に管理されてゐる財產の管理者としての仕事をのみ遂行してゆくべきものである。故に財產賣却處分に對してインジャンクション（差止め命令）を發して貰ひたい」と云ふのであつた。之にたいする双方の辯論要旨は次の如くであつた。

▲政府側ヴァーコー司法次官——カストデアンは總督直屬の官吏ではないのでペチション・オヴ・ライトの形式で此の問題を提起する事は出來ぬ。故に裁判は政府相手ではなしにカストデアンにたいして提起さるべきものである。

▲財產所有者側マクレナン辯護士——移動日本人は敵性處分に關する規定でいふ所謂「エネミー」ではなく問題になつてゐるのは「移動者」の財產である。一九〇三年に提起された本間留吉氏のケースでも財產と民權はエイリアンたると歸化人たるとを問はず州の權限に屬するものである事が明かにされてをり之を處分する權能はカナダ議會と憲法第九十一條の條項に歸してゐる。移動に對して抗爭が行はれてゐるのでなく、夫に附屬しての發令たる財產の保護管理も認められてをり、之らの權能を附與した勅令が越權であると論じて居るのではない。只夫に續いて發令された一九四三年一月九日の發令たる財產の賣却處分は戰時に於ても顧る政府の越權であると云ふのである。「保護の爲」といふ事も管理と云ふ字句の意味を狹い意味にしてゐる。カストデアンに財產が移讓された時にも依然的といふ事になつてゐる。勅令中の管理といふ字句が賣却處分をも意味するとしても、夫は持主の利益を公正に保護する場合はよいとしても、財產それ自体で利益を上げて居る場合には當てはまらぬ事であり、處分しなければ喪失するといふ場合にのみ適用さるべきである。此の賣却處分は政府の行政上何ら必要なき事である。財產賣却と戰爭遂行は何ら關係なき事であり賣却は戰爭努力或は保安に何らの寄與をなすものでもない。都合よくレントしてある財產を賣る事は正當化され得ない事である。日本人財產カストデアンと敵產カストデアンは同じ權能を持たされてはゐない。前者の權能は後者ほど廣汎でなく財產賣却處分の權能はなく管理だけに限られてゐる。其上移動者の財產登錄は保護の爲のみであり勅令にも其事が明記されてあり賣却處分は契約違反である。

コーネット晚市長の空涙

「親子の間は裂けないから日本人全部を送還せよ」

ビーシー歸還兵團の反日決議

（晚香坡發）先週金曜日ホテル・ヴアンクーヴアーで開かれたカナダ歸還兵協會ビーシー州支部第十五回大會では「戰後に日本人總てを日本へ送還せよ」と要求する決議を通過し「戰後ビーシー州には日本人を容れる餘地はない」といふ事をオタワ政府に通告すべきであると叫んだ一代表者の言に對しても喝采をあびせた。日本人送還に對しては新しい歸還兵の團体も贊成であるとの代表者によつて表明され「カナダの教育を受けた者も此の戰爭では日本に味方してゐる」と述べたが之にたいしては他方の歸還兵團体の一代表者が然らずといふ意見を發表し「學校に於て日白生徒がケンカしてゐるのを目で見たことはない、英國旗の下で生れた者は他の國に屬すべきでない」と主張し日本人はビーシー州のみに固まらせるやうな事をさせずカナダ全体に散在させるべきであると述べた。又ヴカボーにたいして直に果斷なる處置をとれといふ事をカナダ內にある外人コロニー總て分散さしめよと要求する決議も可決した。

（晚香坡發）日本人總てを日本へ送還すべきであるといふ歸還兵協會の決議を支持した晚市のコーネツト市長は「日本人問題に關する歸還兵團の態度にたいし自分は全的に之を支持するものである。オタワ政府にたいして、日本人は戰後にはビーシー以外の地に行くがよいと告げるがよい」と言ひ、日本人中でもカナダ生れの者は此國に留まらせるべきであると言つてゐる者があるのに關しては「市議の中には此の意見に贊同してゐる者があるが、日本生れの親と此の國生れの子供との間を引さくことは出來ぬ」と空涙を流した。

ベンネツト市議の公正論

（晚香坡發）去月曜日の晚市會は戰後に日本人總てを送還する事を領政府に要請せよと主張するコーネツト市長の案を採決する事を四對三票を以て拒否した。九名の市會全部が出席するまで投票を保留する事になつたのであるが其の時の頃までは延期といふことにならう。右のコーネット市長案に對してベネツト市議は「公正と正義」の態度を以て日本人問題に當らなければならぬことを力說し、市會としては一九四二年九月に通過してゐる決議——日本生れで不忠誠なる者は送還する事をオタワ政府に要請するもカナダ生れで忠誠なる者は各州に適當數で散在させる事に贊成——を取消さねばならぬ理由はない筈であると主張した。

マケンジ力み返る

（晚香坡發）オタワ政府のマケンジー恩給相は、晚香坡から當選した日本人を再びビーシー州へ歸らせるやうなことを許す政府には二十四時間でも留まつてゐないと言明して歸還兵團体の反日決議支持を表明した。

勞働省の斡護士が インテリア視察

（オタワ發）オタワ勞働省斡旋部の首席斡護士ユツチー・ブラウン氏はビーシー州インテリアタウン視察の途上去木曜日にオズーに到着した。各タウンの實情を調べた上オカナガン方面地區も視察する筈でセキュリテーコミシヨンのサンス雇任司長も同行してゐる。

モントリオル市にアパート住宅設置

二萬五千弗を投じてカソリツク教會が購入した建物を修築

（モントリオル發）ケベツク州に轉住してくる日本人の家に宛てる爲にモントリオル市內の三階建のハウスを買取り二萬五千弗を投じて之を改修する工事が開始された。フランシスカン教會が主唱して建物を購入し工事を進めてゐるもので完成の曉には家族持用として二室から五室のアパート十五と獨身者の爲の約三十のルームが出來る筈でアパートメント・ルーム總てには暖房裝置し大部分のルームには冷溫双方の水とガスを備へる事になつてゐる。レントは此の家を自然出來る程度にしアパートは月二十弗から卅五弗、シングルルームは十弗から二十弗にする筈であるが、セキュリテー・コミシヨン、モントリオル市衞生課の代表は既に此の場所を檢査して承認を與へてゐる。現在此の仕事の管理に當つてゐるのは支配人格としての江頭眞德七氏とセントメリー病院に勤務してゐるドダスーとである。此の計畫は右の如くカソリツク教會の主唱ではあるが宗派に關係なく誰にても使用されるものである點を強調、テナーは常に勤務してをり詳細を知りたい向は左記の兩氏に手紙で照會するやうよく、二世グループのために此の家の事務所にも適當なセンターを設けることが計畫されてゐる。

● Dr. C. George Hiraq, St. Mary's Hospital, Montreal, P.Q.

● Mr. T. Ehata, 1414 St. Luke St., Montreal, P.Q.

ニューカナデアン

在加日本人の爲の獨立不偏の週刊紙

（發行所）ビーシー州カスロー
編輯兼發行者 生山國人
日本文編輯者 梅月高市
（購讀料一部十仙 一月四十仙 前金六ケ月二弗 一ケ年四弗）

（社説）戰後の問題に對する豫戒

サンドン居住地閉鎖が敎へる意義

サンドン居住地が遠からずして閉鎖されると發表された事は、戰爭勃發と共に多くの日系カナダ人が直面する事を豫期してゐなければならないところの、戰後の困難問題に對する一種の豫戒である。

サンドン居住地は過去二ヶ年間に亘り色々と困難が加へられ良き秩序を保つて來たのではあるが、今や夫れもイラノーにならうとしてをり人々は他へ移轉する用意をしてゐるのである。而して此の鑛の跡りまでには、歴史的な鑛山町も再び山間のゴーストタウンに逆戻りすることゝ見られてゐるのである。

現在の情勢下では、移轉することその自體はあるにしたところで、サンドンの居住民は、パールハーバー以來第二回目の新しいホームを見付けることに就ては左程に大きな困難はないであらう。或者は既に東部の居住地に移されたし、他の大部分も遠からずそれに倣つて行くらしいのである。

しかしながら此の居住地閉鎖といふことでは、日本人の將來に對しては、目に見るが如き警告として大きな意義がある。戰爭の終結と共に、政府が現在行つてゐるやうな移動者に對する世話の停止を繼續するであらうことは極めて明白なることであるからだ。戰爭が濟んでもインテリアタウンといふものは相當期間は繼續するであらうかと云ふ問題に對しては疑問があり、若し其の答へが「ノー」であつた場合には、その際はインテリアタウンに留まり、政府の補助にたよつてゐた者は非常に重大な國際問題に直面しなければならぬことになるのである。その場合、彼らは居住してゐるところで自活出來るであらうか。又は若しそれが出來ないとすれば一體どこへ行つたらよいかと云ふ問題が起つて來るのである。

中には日本へ——自ら進んでか或は強制的に送られて——行く者もあるであらう。しかしながら此の種の動きは、それが自發的であると強制的であるとに拘らず、最も不確なものであることは明かであり、國內的及び國際的問題からしても、此の不確さをハッキリさせるべき要因を求めることは困難であらう。今日既に存在してゐる困惑せる事態を、更に惡化させるが如きことはあり得ないだらうと考へるところからして、斯う云へるのである。

尤も、再定住の線に沿つて正常的の生活に復歸してゐる者といへども、戰後の混亂といふ同じ問題には直面することであらう。しかしながら、夫れはインテリアタウンが次々と閉鎖されて行くといふ事態に直面する者とは凡そ比べものにならぬところである。そして現在彼等のなしとげつゝある努力とは、經濟的にも精神的にも、戰後に於て起つてくるであらう如何なる緊迫、困難に對しても遙に良き準備をもつて之に立ち向へることも必定であるのだ。

矛（盾）せる古（兵）協會の態度

カナダに居る日系人のことに關しては幾度となく奇妙なる考へ方が行はれて來たのであるが、最近晩市に於て開かれたカナダ歸還兵協會ビーシー州支部の大會に於ける日本人問題論議なぞは其の最も著しい例であらう。

ドイツ人のカナダへの移民は、ドイツが其の考へ方を全く棄てゝ世界の平和を保障するに到るまでは許容すべきでないといふ決議が右の大會では可決せられた。

ところが其の同じ大會では、世界の平和を保障しないところの、其の同じ組織の考へ方に全然一致ずる決議を通過したのである。即ち大會では、カナダに居る日系人は、個人の權利や信條、市民乃至は非市民、デモクラチック又はフアシスト的やり方の如何を問はず之を總て日本へ送還せよと要求する決議を通過したのである。

右の決議に對して、それはナチスのやり方と同じであると抗議した者に對しては極少數の支持者しかなく、大部分の代表者は自分のやつてゐることは棚に上げて、敢て言及せずと云ふ態度に出たのである。

歸還兵協會と、それを支持してゐる晩市のコーネット市長及びマケンジー恩給相とが、第一次大戰の歸還兵として未だカナダ歸還兵協會のバッヂをつけてゐる四十餘名の日系歸還兵支部員に關して如何なる進言をなすであらうかは、吾吾の注目するところである。同時に吾々は、別項所載の如きライフ誌への投書にたいして、此の人々が如何なる答へをなすであらうかを知らんとするものである。

許せぬ狹量

雜誌「ライフ」の讀者が反日行動者を強く非難

雜誌「ライフ」の五月號には、米國政府の移動日系人再定住政策にたいする偏見の一例が掲載されてゐる。それは一團の日系人農業者が米國ニユージャージー州グレート・メドウスの農園に再定住したのに近隣の農家が反對して遂に此の日系人一團を立ちのかせるに至つた事件に關してであり、それにたいして同誌の讀者は次の如き投書をしてゐるのである。

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「自分は三年間も軍隊に居てナチズムと戰ふことを教へられたのであるが、今やニユージャージー州グレート・メドウスの暴徒から自分の背中を突き刺された思ひがするのである。——他の一千萬のデモクラシーのために戰ひつゝある男女軍人も同じ思ひであらう」——ミシガン州フォート・カスターにて、パーセー。

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「私の良人は他の數百萬のアメリカ人と共に今軍隊に入つてゐるが、それはドイツ人の一團がニユージャージー州グレート・メドウスの「フアイシケルスチイン氏」が「山本氏」にたいしてとつたと同じ態度に出てゐるからのことである」——ミシガン州ロチェスターにて、メリー・キーチング

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「ニユージャージー州の或人々の狹量は許しがたきものである。思ふに彼らは數千の日本人、ドイツ人、イタリー人其他が我々の側に立つて戰ひつゝあることを忘れてゐるのであらう。我々は、之らのデモクラシーのために戰ひつゝある人々にたいして信頼を持つものである。他の何人といへども同じでなければならぬ筈だ」——加州桑港にて、ジョン・クラウスキー。

判定さるべき二つの問題

法律上の言葉といふものは法律家夫れ自身にとつても易々と讀解出來るやうには出來てゐないものである。そこで讀者の中には前述問題にたいして關心を寄せてゐる者でも、裁判進行の報告を一讀しただけでは其の要點をつかむことに困難を感じてゐる向きがあるかも知れない。

一行にしていへば財産問題の審理に當つたエキスチエカー・コートのソーソン判事は、判決を下す前に二つの問題を解決しなければならぬのだと吾々は見るのである。第一には、カストヂアンは果して總督府の官吏であるか否かと云ふ事であり、夫れが若し總督直屬のものであつた場合にのみエキスチエカー・コートは問題を檢討する事が出來るのであるが、若しカストヂアンが然うでなかつた場合には、財産所有者は裁判を通して政府のやり方の是正は求め得られないのである。

しかし乍ら若もエキスチエカー・コートで審理すべきものであるといふ事が決定された場合には、判事は戰爭對處法によつて政府が發した閣令は、カストヂアンに對して財産を賣却處分する權能を合法的に與へてゐるものであるか否かといふ點を判定しなければならぬ事になる。英國系の[illegible]に於ける裁判の奇妙なるシステムの下では、デモクラチックな權利と云ふものは、確實であるとは云へ、一つの繼續によるほか保證は與へないものである。

『欲しいのは金持ちと専門學校出の若い者だけ』

歸國申請者の大部分は日本で「御免」

（桑港發）加州ツールレーキ隔離收容所に入つてゐる日本人中日本へ歸りたいと申請してゐる者の大部分を日本政府では欲しがつてゐない旨米國政府轉住局では發表してゐる。同隔離所に居る一萬九千の日本人中半數以上が日本へ歸りたいと申込んでゐるのであるが、日本政府では之等の隔離者の大部分を欲しがつてをらず、日本側で引取ると云つてゐるのは金を持つてゐる者か若い者で専門學校以上の教育を受けてゐる者であり、日本政府では日系米人青年でカレツヂを出た者を日本へ呼ばうと試みたことさへあるが本人が日本行を拒否したのであるとマイヤー轉住局長は米國議會に於て說明したのである。

○

（ワシントン發）西部沿岸から移動した日系人は軍事的事態が許すやうになり次第以前のホームに歸らすべきであるとマイヤー局長は米國議會の委員會において述べ、一九四二年に沿岸から移動した日系人十一萬二千人中約五百餘名は既に西部のホーム歸還を許容されたが其の大部分は西洋人の妻又は子供であるところの米國市民であると說明した。尚マイヤー局長はパールハーバー以來西部沿岸の日本人の間でサボタージュや間諜等の證跡があつたことなく、又パールハーバー以前に日本政府が日系人を故意に西部の軍事施設のある近くに住まはせようとしたなどゝいふ形跡もないと說明した。

ツールレーキ隔離收容所の慘事

（加州ツールレーキ發）當隔離收容所に居る岡本正一氏（三〇）が五月廿四日[illegible]正門附近で[illegible]のため射殺されるといふ事件があり衞兵は拘留されて取調べられてゐる。葬儀は五月卅一日行はれたが參會者も千人、四十一軒の[illegible]會が會葬するといふ盛大さで、イースト所長も參列して弔辭を述べ、「岡本氏を個人的な[illegible]はないが[illegible]の[illegible]なる[illegible]を[illegible]友人や隣人から親愛されてゐた人を知悉してゐる。今回の不幸な事[illegible]し所民が非常な[illegible]に[illegible]同情は實に貢獻するに値するものであり、所民の[illegible]と[illegible]とは[illegible]センターへの將來の影響は[illegible]である。此精神を以て進むなれば將來の[illegible]を克服し明朗センターの建設を期し得らるゝのであつて[illegible]する事が故人の靈への最善の手向けと確信するものである」と言つた。

七十二になる二世

加州マンザナー轉住所に居る[illegible]ヘリー（七二）といふ米西戰爭の從軍勇士は米國に居る日系二世中の最年長者であると見られてゐる。米西戰爭で既に負傷してアメリカ政府から恩給を貰つてゐるのである。

カズロー・レター

梅月高市

――二世・三世・歸米――(一)

以下數回に亘つて掲げる一文は米國一流の雜誌「フオーチユーン」四月號所載の論說を米國アリゾナ州ヒラ轉住所内で發行してゐる「ユー・ス・コーリアー」紙が飜譯したものであります。米國に於ける移動日系人の實情を詳細に摘出してあり、如何にそれが大きな問題であるかを示すものであります。

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バターン半島の米國軍人捕虜に對する日本の殘忍行爲が報道された時の米國民衆の憤激は一九四一年十二月七日のパール・ハーバー攻擊以來に曾て見ざるほどのものであつた。一般米人は本能的に彼の行動と米國内に收容されて居る日本人への待遇とを對照してみて、それが假令報道されてゐなくとも米國内に居る日本兵捕虜が日に三度の食事を與へられ、厩られたり蹴られたり、虐められたりしてゐない事を知つてゐる。併し乍ら一般民衆の中には日本が如何に執拗に、如何に有效に米國の日系人戰爭を東洋全般に利用してゐるかに氣付いてゐる者は少い。日本は此の宣傳に於て鬪熱されてゐる人々を米國が「如何に」取扱つてゐるかといふよりも「誰が」斷然されて居るかといふ事に重きを置いてゐる。日本は東洋のラヂオ聽衆にたいして米國が十萬以上の日系人——其の大半は米國市民權所有者である——を鐵條網内に抑留してゐる事實をあげて、之れアメリカにおける人種的排斥の實例であると繰返し〳〵放送してゐる。太平洋戰を以て白人種の人種的戰爭にたいする聖戰であるといふ確信を全東洋人に與ふべく、故に拔け目なく米國内における黒人、メキシコ人乃至日本人らの少數民族差別する不正義を意味するあらゆる出來事に注意の眼をみはつてゐる。嫌論前は我々が國内に設立した日系人のための種々異つた收容所を故意に區別して認識しやうとはしない。遺憾ながら米國人自身も亦此の日本ラヂオ同樣に米國内の一小分子たる日系人(全米人口の千分の一に相當する)の身の上に何事が為されて來てゐるか判然たる認識を缺いてゐる。

日系人の收容せられて居る鐵條網に圍まれたキャンプに三種類ある。其の第一は司法省管轄のキャンプであつて、其處にはエッピーアイ(聯邦探偵局)によつて米國にたいし危險なりと見做された日本人三千名が收容されてゐる。之のみが所謂正眞正銘の抑留所である。

第二は一九四二年に政府が(米大陸の總人口十二萬七千の中から)十一萬人の日系人を收容した之れ復鐵條網に圍まれた十ケ所のキャンプである。彼らの三分の二はアメリカで生れた米國市民であり、三分の一は米國歸化を法律によつて禁ぜられた外國人である。而も彼らには何ら法律的犯罪はなかつたのである。戰爭勃發當時これら十一萬の日系人は太平洋沿岸諸州、特に加州に居住してゐた。「軍事上の必要」といふ理由で陸軍が之ら日本人は、市民非市民の區別なく、すべて西部沿岸軍事區域より撤退せしめねばならぬと決定するや、彼らは遂に鐵網の中に打ち込まれることになつたのである。

西部沿岸から立のかしめられた十一萬の日系人は、昨年内に三分された。即ち日本に對して忠誠を表明し、米國の防衞に挺せざる者は其の子供と共に所謂隔離キャンプといふ十個のキャンプの中の一に收容されることになつた。之れが第三の部類に屬するキャンプである。

殘りの九ケ所の「忠誠キャンプ」からは既に一萬七千名が出所して東部に職を求めてをか、殘除の者は今なほ鐵網の中に居るといふわけである。斯の如く米國市民が無罪にして監禁せられ、憲法及び人權を蹂躪せられたとしたならば米國にとつて由々しき問題である。

■

去一九四一年十二月頃の西部沿岸に散在してゐた日本人の小部落にたいして少からぬ不安の存在して居た事は諒解出來る。あの絶纒南北に連らなる沿岸一帶は無防備のまゝにさらされてゐた。港灣附近には日本人の漁者が居住して居たし、軍需工場の近くにも日本人が農業を經營して居たし、特に加州の心臟部には小東京が介在してゐた。

從つて日本人の密集して居る地域にスパイの疑ひやサボタージの懼れがあつた。其處で加州々民は日本人住民が如何に處置されるかに就ては平靜を保ち當局をして此の問題を處理すべく餘儀なくさせられたのである。

最初の二週間に司法當局は約千五百人の嫌疑者を逮捕し、其後數週間を經てロサンゼルス港内のターミナル島及び軍事施設、發電所附近に近接した區域は軍事上に重要地に於ては敵性外人も市民も差別なく立のきを命ぜられたのである。併し加州民はまだ當局を充分に信用してゐなかつた。一方に於いで聯邦探偵局が盛んに嫌疑者を拘引してゐる最中、市民は彼らの東洋系隣人の怪しい行動を一々報告する。それらの電話で民間の當局は忙殺されてゐた。一九四二年二月二十一日に[illegible]委員會に於て[illegible]ン氏(聖路加司教)は、「吾々は政事的並に及至サボタージや第五列的行爲は見なかつた」[illegible]にも係らずヒステリー民は既に全面的に要望しつゝあつた。日本軍が[illegible]してゐるといふ噂や一マイルは[illegible]ゐる第五列で業者の話は無用住民の神經をいやが上にも尖らせ、日系人に對する嫌惡輿論は[illegible]に成つた。

[illegible]作に就つてハースト系新聞は[illegible]作の從前から何時事を見み[illegible]と共に[illegible](一人[illegible]の一パーセント)に[illegible]つて論議を續けて來た。果して其の論調は約中し[illegible]事の論調には[illegible]を經へて[illegible]も[illegible]たゞ同してハースト系新聞の日系人全家の[illegible]を指導するや、[illegible]日系人に[illegible]をいだいての[illegible]の有力な議作が之に賛同した。

黒山一舟君追悼

――華句會同人一同

堀　歌仙
花散るや寂淋しき別れ霜

中野　楷里
春寒に御靈よ眠れ安らかに

田中　湖水
故郷の館に入りぬ舟一つ

大塚　翠波
行く雁の聲淋しくも聞く夜かな

小山　青風
新らしき位牌冷たし春の雨

吉田　風流
夕霧籠りてさびしき庭の面

山下　梅洲
永久に還らぬ人偲ぶ春の夕べ哉

森
春闌けて散りゆく庭の花一木

松下　夢松
春雨音なく散るや淋かなし

橫田　踏青
春愁や雨に打たれし庭の花

蔭　谷
靈前にはなけてさびし川柳

伊藤　清水
一舟は逝きて句會の春寒し

高岡　翠柳
睦み住みし嗚呼君は逝く春の雪

中野　梅節
霧引いて夕山寒くくれゆきぬ

『黒山茂君の死を悼みて』

トロント　千　豊

いたはしや君この春を逝かんとは

春愁や燈下に君の遺句讀みぬ

逝きし句友しのぶ夕やはるの雨

○

はるなれど軒うつ雨もさびしけれ君は逝きしと聞きしたよりに

ありし日の君の姿もかげありありと浮かぶ瞼に涙うるみぬ

思ひ出は泉の如しアングラの土筆の頃はわけて懐かし

(ニウデンヴァーの病院へ送るゝ時)

病院へ行くてふ君と別るとき癒えて歸ると君は言ひしに

二十六のはるを一期とみまかりし君のうからの歎きを思ふも

「祝夢笑君之結婚」

三　竿

視界みなはるの餞むけ謠ふて讃えや

夏や來ぬカナダのはるは言ふ間なく

馬鈴ら植ゑかゝる世の矢を迎る

稀晴いた夜雨の胸を撫でおろす

硬軟の聲ふりかぶり桃植ゆる

切り詰めの桐枝若葉して街路に涼し

古りて尚夏野に冠る冬帽子

單一の冬の服なり夏も着る

青嵐や夕日眞珠に吹きおとす

ざわざわと楓枝を鳴り星チララ

只ならぬ時評轉變見解しや

暑き日は日戰報ラヂオ口亂る

暑き日のこと銜ふか一人啜ゆ

「饒　舌」

蛇消えて香撃ち殘る汗の日に

館穗立つ聲の殺さよ日本ユダ

南部オンタリオ　芳原居帆

「トロントの俳友に答へる」

緯度の差や北斗星の行方探す夏空

友戀ふる翁さびしく遠島の夏

鐘樓になくセビン鐘聲に和して涼し

赤銅佛によく似た翁襟に流るあせ

春　雲　白　く

サモンアーム　りん子

小さき手の何ぞと問ひて指す彼方春雲白く盛り上りたり

讀む本の乏しきまゝに過ぐる事の其の一つのみに心碎くも

(オカナガンにて)

湖を見下す傾斜の君が家來つれば幸て櫻咲きゐる

はな見餅作りつ待ちをると云ふ人の心にふれけり[illegible]下蔭

ちんまんときさら咲きたる集ふ人明るく笑ふ寫眞とりけり

手術する人とも見えぬ笑ひ顔櫻の下に見て歸り來ぬ

グリンウッド　綾　子

あまりにもむごきさだめと[illegible]二句前ふたたびは逢ひし友は早や亡し

[illegible]にみつる日のなき[illegible]なさは[illegible]近く[illegible]身なるも

佳き友を失ひし日の[illegible]ひたる五月の日ざしのつよき

移りすむ部屋の窓あき好ましきわたりはなれて住ひたなく

友達にわかるゝに與る一もとのう[illegible]とほき[illegible]も惑られし

マウブルのはなの咲く下の住み人に言ひ知りつこゝに[illegible]

一計[illegible]には雨[illegible]春色にうたにきかして

[illegible]　竹　實　生

[illegible]にれたなすみ由[illegible]若きはるの隣

今朝までは花ありとも心つかざりし我方、牡の青む夕暮れ

百草のまこ一計りに墓さるべにしさこに古巣、ふところ春風

心こまでにもするか吹く風に風やのやいに仕事する日に

British Columbia's Fear and Hate

"Only British Columbia still blindly fears and hates Canada's Japs." So wrote Bob Elson, editor of the "Canada at War" section of "Time" in last week's issue.

Elson, whose acquaintance with the so-called "Japanese Problem" dates back to newspaperwork with The Vancouver Province, notes in typical "Time" style the statement of Hon. Humphrey Mitchell in Parliament recently.

British Columbia's hostility is an interesting emotional complex which is somewhat difficult to understand. Racial prejudice alone does not seem to be an adequate explanation and it is evident that there must be some other factors behind the "blind fear and hate."

* * *

An important contribution to the understanding of this emotional complex is one of the most interesting features contained in the recent pamphlet by Dr. Norman Black and issued under the auspices of the Christian Social Council of Canada. He attributes the impopularity of the Japanese in British Columbia to these factors:

1. Economic (and what the occidental considers unfair) competition.

2. Misunderstanding about the high birthrate of the Japanese.

3. The myth that the Oriental brain functions differ from that of the Occidental.

4. Racial purists who oppose future intermarriages between the two races.

"In the first place, the dislike has always been very far from universal and has probably been commonest among whites who had little or no personal contract with individual Japanese," feels Dr. Black. "Students of sociology will not be surprised when told that where active hostility exists, it is based on vague but real economic fears and perplexities that clamour for scapegoats."

UNPOPULARITY IN LABOR

A clue to the popular dislike among many circles of the Japanese is noted by Dr. Black in the fact that Japanese were first welcomed into British Columbia as a source of cheap labor. During the more prosperous times, the Occidental worker was not affected by the Oriental labor but "during the years of the depression, he became painfully conscious that there were not jobs enough to go around, and in the Oriental worker he saw a competitor who he vaguely felt had an unfair advantage."

It is understandable therefore, that the rising animosity reached still higher planes when accusations that Japanese were usurping the fisheries and other major industries of British Columbia. But, according to Professor Carrothers' analysis of relevant official data for the ten year period, 1922-33, a decrease of over 50 per cent of the Japanese employed in fishing, logging, sawmills and other industries is shown. This mass expulsion resulted in the Japanese shifting to agricultural and urban occupations, particularly to those in which the family could be a working unit. This wholesale transfer contributed to abnormal working conditions, threatening the standard of living of the Occidental. Inadequate legislation governing working conditions drove many of the Occidental competitors out of business which in turn gave rise to further animosity.

BIRTHRATE NOT SO HIGH

The popular misconception that the birthrate of the Japanese was exceedingly high was chiefly due to the people jumping at conclusions after coming across large Japanese families. Quick to take up the advantage, agitators took up the cry and used the ballyhoo of high birthrate to feed the fear. But once again cold facts disprove this theory. In a survey made by Young, Reid and Carrothers, the average size of the Japanese family in the Fraser Valley was 4.11, in the Okanagan Valley, 3.97 and in Vancouver 2.47. The birthrate was quite high a few years after the first contingents of Japanese immigrants arrived in this country, but a study of age tables makes the reason obvious: the average age of the woman immigrant was 25.4 years and that of her husband 31.8 years.

"If the birthrate for Occidental Canadians of the same age group were segregated, it also would be found to be much higher than that of the Canadian people as a whole. Moreover, since those early days, the records show a continuously declining Japanese birthrate and a steady rise in the age of marriage. The percentage of single male adults in our Japanese population is higher than is recorded for the people of Canada taken collectively."

CRUSH MYTH OF "CORTEX"

The myth that anything that does or can happen in the "cortex" of an Oriental differs from that of the Occidental is crushed by Dr. Black.

"The important fact is that character, ideas, ideals, habits, attitudes, and the like are not transmitted by physical inheritance. They are acquired after birth and are shaped by human contacts. One may change and outgrow the habits and outlook adopted from one's early associates, but in general the crucial consideration is the character of the influences brought to bear in childhood and in early manhood, and especially during one's schooldays. The thoroughness of the Canadianization of any particular Japanese resident will be proportionate to the intimacy and friendliness of his contacts with Occidental Canadians. To assume that children and adolescents, educated wholly in Canadian schools and mingling freely with Canadian associates will grow up with anything but a Canadian outlook upon life and this land of their birth is a preposterous libel on the teachers of this country."

Drawing on his past social contacts with the Japanese Dr. Black declares:

"The suggestion that young people of Japanese stock, educated in Canadian schools and universities, are incapable of appreciating or sharing in Occidental culture, or of being inspired by patriotic affection for Canada, is a wicked or ignorant falsehood. The writer is personally acquainted with numerous representatives of this group who are thoroughly and as obviously Canadian in their thinking as anyone in this Dominion."

INTERMARRIAGE QUESTION

"A more serious difficulty is raised by many people who are concerned as to the possibility or desirability of racial intermixtures. They assert that no matter how industrious and law abiding and intelligent, many of these Japanese Canadians may be and no matter how sincere their loyalty to Canada, the fact remain that socially they are beyond the pale. Occidentals and Orientals will never fuse by marriage."

Rapid or general intermarriage would be highly improbable in view of the alarmists and racial purist from both sides. The couple themselves might be unconcerned in regard to opinions of the older generation knowing that no geneticist of repute would support the thesis that such marriages are biologically objectionable.

However, it has been proven in Hawaii that where intermingling of racial strains have no social disapproval, that the children are "as clever and as beautiful and as lovable and as good raw material for citizenship as the children of the strictest racial purists."

Pro and Con on Property Rights

(The New Canadian's reporter covering the hearing of the property case in Ottawa has been Kunio Hidaka, University of B.C. graduate and well-known in the interior towns where he served with the welfare administration for some time. He has just completed a lengthy investigation into the legal status of persons of Japanese origin in Canada, while carrying on postgraduate study at Queen's University, Kingston, Ont., for his Master of Arts degree. In addition to his wired report published last week, Mr. Hidaka has sent in the following detailed story on the legal argument advanced during the Exchequer Court reference).

* * *

OTTAWA.—Reference of Property Owners was heard in Exchequer Court by the Honourable Justice Thorson in a two day session, May 29-30. The crown was represented by Deputy Justice Minister F. P. Varcoe assisted by D. W. Mundell and the property owners by J. A. MacLennan. The case was a Petition of Right brought by a Japanese National, a naturalized Canadian and a Canadian-born Japanese seeking a declaratory judgment from the court to halt the sale of these properties with the backing of the Japanese Property Owners' Association.

The case was opened by Mr. Varcoe who provided the Judge with the relevant orders and council and the forms not as exhibits but as material in convenient form.

Mr. Varcoe outlined the content of the petitions, saying each alleges that he is the owner of property in Vancouver and other legal propositions. In June 19, 1943 the Custodian advertised in the press for sale by tender certain commercial, residential and unimproved properties.

In the petition the suppliants (owners) object to the sale of their property and maintain that under the orders-in-council, certain privileges are accruing to the owners and contend that the property should remain with the Custodian in trust for protection until the end of the war or after treaty arrangements are made.

The petition asked for a declaratory judgment that the Custodian is not able to sell the property against the wishes of the owners and that the order-in-council authorizing the sale is invalid, unconstitutional and ultra vires. It asked for a judgment that the order-in-council does not give power to liquidate or sell without the consent of the owners, to compel the Custodian to carry out the terms of his trust; and that an injunction be issued preventing the sale of these properties.

IS THE CUSTODIAN A CROWN SERVANT

The argument first brought forth by Mr. Varcoe urged that the Custodian is not a servant or agent of the Crown, but a statutory officer who happens to be the Secretary of State. But assuming that he is the Crown, does he thereby become a trustee of the property?

A question was asked: "If the Custodian is not the Crown, does the question of validity arise other than by looking at the regulations? If the Custodian is not the Crown, is this a proper case for a declaratory order, which is a question of law?"

The relevant orders-in-council were cited and reference made to the clauses. The Governmental orders which told the story of the evacuation were given. Special attention was given to Paragraph 12 of P.C. 1665 of March 4, 1942 which states that "as a protective measure only" the property would be vested in the control and management of the Custodian and would come under the Trading with the Enemy Regulations. It was pointed out that under the Trading with the Enemy Regulations there was power for the Custodian to sell. Power was given the Custodian specifically that there be no tax, lien, or call upon any property vested in him. The judge said that if he were the Crown, this clause would not be needed.

WAR MEASURES ACT REGULATIONS UPHELD

Arguing the first point of ultra vires, Mr. Varcoe cited the cases of the validity of regulation under the War Measure Act and the Gray case of the last war, the Chemicals Reference case of 1943 and the Fort Francis Pulp and Paper case where the powers were upheld.

In his view the Custodian was an independent statutory officer and not the Crown. A petition of Right could not be the proper remedy. A number of tests for a Crown body were given and it was submitted that the Custodian did not meet them. And for this reason, action should be against the Custodian himself and not the Crown.

QUESTION OF TRUSTEESHIP

On the question of trusteeship, Mr. Varcoe argued that it would first have to be assumed that the Custodian was the Crown, then the Custodian could be the trustee of the suppliant. A second question arises assuming the Custodian was the Crown: does the nature of the trusteeship preclude a right to sell. The Crown was not made a trustee by the regulations. The tests for a trust were cited; namely the beneficiaries must be known, the purpose of the trust must be known and the intention to create a trust must be stated. In this case it was not definite if there was a beneficial interest and everything was "up in the air." The trusteeship, it was argued allows in section 6 for the receiving, holding and dealing with the enemies property and amounted to a statutory transfer of enemy property. Since there are no rights or remedies, if there is a trust it is the kind which allows the Custodian to sell as he pleases.

It was questioned whether this was a proper case for declaratory judgment. Under the English rule, a suppliant can seek only relief and no declaratory judgment. Cases were given which indicated that the Court was unable to make mandatory judgment against the Crown but only make known the rights of the subject; and furthermore if it be a breach of trust no Petition of Right could lie from a breach of trust.

* *

EVACUEES NOT ENEMIES MACLENNAN MAINTAINS

Mr. MacLennan, counsel for the suppliants, opened his case by stating that there was no declaration as required in the Trading with the Enemy regulations to state that these people were enemies. He read the section in the Regulations which states that a person must be designated an enemy. He termed the property in question "evacuee" property. It was stated that this matter could not come under Dominion power under the section on aliens and naturalization because it was not the "pith and substance" of the case, and he cited the celebrated Tomei Homma case of 1903 which stated that property and civil rights were under provincial jurisdiction, even of aliens and naturalized Canadians. Therefore power would have to accrue to the Dominion parliament and only under the general clause of section 91 which takes in "peace, order, and good government."

SALE ORDER BEYOND POWERS GIVEN BY SECTION 91

It was submitted that the Crown held the real property in this case and the only way to seek restitution was by Petition of Right. Since the evacuees left their property, there was a duty on the Government to protect it as an act of necessity and cases were cited when the necessity existed. It was stated the matter of evacuation was not under dispute and it was admitted that protection, control and management of properties was ancillary to evacuation. It was not argued that the order-in-council which gave these powers was ultra vires but the following order of January 19, 1943 which gave powers to liquidate and sell was ultra vires since it went beyond the Dominion powers of peace, order and good government in times of emergency. This interpretation contends that Dominion powers are restricted to the words of the general clause and the interpretation of the War Measures Act are restricted to this extent.

It was argued that protective measures only had a narrower meaning of control and management. It was also stated that the forms on which the property was registered specifically stated that it was a voluntary turning over. It was asked if the property were for the protection of the state why should there be discrimination in regard to German and Italian property belonging to persons who did not have to evacuate. The order-in-council purports to say that as a protective measure to protect the owners equity, sale may be advisable, but this could not be extended to self-supporting properties. No discretion existed where property was self-supporting but only where it was not, and may be lost. It was stated that sale and liquidation of these properties was not an act of necessity —not in any way affecting the peace order and good government of Canada.

A section of the War Measure Act was cited which stated that when rights had accrued to a person they could not be removed by a subsequent order. In this case the right of control and management and protection had accrued so any attempt to remove this accrued right would be illegal under the War Measures Act. The Judge interjected that rights had also been taken away.

Since sale and liquidation come outside the purview of the general clause of peace, order and good government which was a Dominion power in wartime, the matter was under provincial jurisdiction and came under the section of provincial powers related to property and civil rights. Cases were given to show that war measures could go only so far as to meet the exigencies of the case. It was submitted that there was no relationship between selling the property and the efficient prosecution of the war. The question was raised by the judge if this was a point to be brought before the Court. The counsel for the suppliants replied that this matter of necessity was reviewed in the Fort Francis Pulp and Paper Case. The judge seemed to be bothered by the phrase "deem advisable."

NO WAR NECESSITY

The following morning Mr. MacLennan continued. He cited cases to show that in the Price Bros. and Board of Commerce and in the Fort Francis Pulp and Paper Cases where conditions of jurisdiction are involved, judgment could be given and the cases must have bearing on the war. It was repeated that in this case there was no bearing on the war, although control and management went that far. It was pointed out that it was no aid to war or security; the only justification for the sales was for the protection of the property itself or for the owners. It was alleged in the petitions that the properties are well-rented so that there is no justice in the sales. Anything not ancillary to evacuation is ultra vires which is not connected with the war.

Arguing to the point if the Custodian was a Crown servant and whether the Petition of Right was the correct procedure, and if not would the matter come up in Exchequer Court, Mr. MacLennan argued that the Custodian derived his title through the Crown, and therefore was a Crown servant. Cases were given to support this argument. It was argued that the minister would not be the Crown but acts done with the approval of the Government-in-Council became Crown acts since the Governor General was the Crown.

The Custodian of Japanese Property did not have the same powers as the Custodian of Enemy Alien Property and they were not the same legal person, although they happen to be the same administrative person. Should the Custodian dealing with Enemy Property not be a Crown servant, it does not mean that neither is the Custodian of Japanese Property. The Custodian of Japanese Property has restricted powers [illegible]

(Please Turn to Page 8)

News Notes Across Canada . . .

Bay Farm Kindergarten Officially Opened

By A. S.

SLOCAN, B. C.—The formal opening of the Bay Farm Kindergarten was held on the evening of May 30. The kindergarten which was built through the generosity of the Japanese Anglican Church, Mission Board and the Kindergarten Children's Mother and Friends Organization was recently completed on a plot loaned through kindness of the B. C. Security Commission.

Guest speakers, E. R. Adams, Slocan City project supervisor, the Rev. W. H. Gale, superintendent of the Anglican Missions and representatives from the many organizations of the centre delivered congratulatory address. Members of the Anglican High School choir gave an entertaining contribution to the program and Mr. Hanson of the Presbyterian Church rendered a solo. Accompanist was Miss A. Tokunaga.

On May 21, the Empire Youth Rally day was observed under the leadership of Mr. W. W. Elder of the B.C.S.C. in an open air gathering on the Pine Crescent School grounds. Choirs from the various schools conducted by Miss E. Heaps, principal of the Anglican High School and assisted by Miss K. Oyama led the singing.

The chairman, Mayor Swan, introduced the specially invited guest speakers from Trail, Rev. F. Browne of New Denver and Mr. T. Utsunomiya, high school teacher.

A former resident of Slocan, Mr. K. Yamaura who relocated to Cedar Springs recently, praised the smooth working efficiency of the Anglican Church High School in a letter received here. He stated that the teacher of local high school in which his daughter has enrolled, commented upon the advanced studies and progress of her new pupil.

OBITUARY

TERUO WATANABE

Teruo, 3 year old son of Tadashi Watanabe was found drowned in a creek about a half a mile from Tashme in the afternoon of May 20 after being missed by his parents since 10 a.m. that morning. It is believed that the boy fell off the embankment into the creek while at play.

Final funeral services were held on May 22.

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(現住所)
Address ____________

____

(舊のアドレス)
Former Address ____________

[illegible]
[illegible]

Assumed Alias; Arrested

PICTURE BUTTE, Alta—Arrested by the R. C. M. Police, a Japanese resident of Picture Butte was sentenced to six months imprisonment plus a $200 fine, Monday on the charge of posing as his Canadian-naturalized brother. Default in payment of fine is to result in a extra two months penalty.

The investigation by the R.C.M.P. disclosed that the guilty party had been using his brother's name and naturalization papers since his arrival in Canada 20 years ago. The naturalized brother had returned to Japan in 1916.

All Stars Blast Rossland In Eighth Inning Rally

KASLO.—Trailing on the short end of an 8-4 score going into the last of the 8th, a fighting Kaslo crew staged a power-house rally to blast Rossland's pitcher from the box with hits, walks and errors that netted seven runs and a final 11-9 triumph in one of the most exciting encounters seen in these parts for many a long while.

The win was a hi-lite of a very successful Sports Day, Thursday last, sponsored by the Kaslo City Council.

A belated May Day ceremony saw Patsy Abey crowned a gracious queen.

The opposing pitcher had the All-Star nine baffled with his roundhouse curve until the eighth inning when they exploded their full batting power and collected seven runs. Mits Tanaka's big bat boomed out a long triple with three men on to cinch the game. Tanaka was the slugger of the day with a perfect 1.000 batting average hitting 3 for 3.

The smooth working ex-Asahi battery, Nishihara and Kutsukake was clicking although Nishihara ran into a little difficulty during the first half of the game. He allowed 13 well scattered hits and struck out 11 batters.

The final score was 11-9.

The players: Muts Baba, 1st base; Ken Kutsukake, c.; Naggie Nishihara, p; Al Everby, s.s.; Mits Tanaka, 3rd base; Casey Iwasa rf; Isa Sunahara, cf; Shig Akada, lf; Sam Kai, 2nd base; Sam Furuya, 2nd base.

The pupils of both the Kootenay Lake School and the local occidental school participated in the track and novelty games which featured the morning events.

Donations by the local Japanese people for the Sports Day were made through the Kaslo Young People's Association and the "Koyukai".

A "keirokai" which is to be held especially for men over 70 years of age will be sponsored by the Kaslo Koyukai on June 18 to commemorate Father's Day. An open invitation is extended for all to attend and a nominal fee will be collected to defray the expenses. Koyukai members are already making preparations for this occasion.

VANCOUVER — Pension Minister MacKenzie said Tuesday that he would not continue for 24 hours as a member of any government or party which would return Japs to B. C.

Tule Lake Segregees Not Wanted by Japan WRA Reveals

SAN FRANCISCO—The War Relocation Authority disclosed on May 29 that the Japanese government doesn't want "most" of the segregees at the Tule Lake segregation camp who have requested repatriation to Japan, according to a report by the Pacific Citizen.

The WRA indicated that more than half of the 19,000 segregees at Tule Lake, who are reputedly "disloyal" have requested repatriation.

Dillon S. Myer, WRA national director, told Congress recently that the Japanese government does not want most of the segregees. Persons acceptable to Tokyo include Japanese with money and young persons with college educations, Myer indicated. In some cases, Myer told the congressmen, Japan has tried to get young Japanese American college graduates who have refused repatriation or expatriation.

Kootenay Anglicans Brand Exile Unworthy of Canada

TRAIL, B. C.—A resolution stating that deportation against the will of persons born and educated in Canada and imbued with Canadian ideals was un-Christian and "unworthy of a nation with high ideals" was adopted here at the assembly of the 25th Anglican Synod of Kootenay June 8.

The Synod directed that this resolution be given publicity and also sent to the Prime Minister reports the Nelson Daily News.

The resolution was adopted following an address by Rev. R. N. Sayoy of Salmon Arm, Anglican missionary priest to Japanese of the Interior.

He urged delegates to counter anti-Japanese propaganda and stressed that not one solitary act of sabotage has been charged against the Japanese in Canada, United States or Hawaii.

He stated that he had not encountered on Japanese who was pro-Japanese in any way. "What they want is to become and to be treated as true Canadians," he said in support of his contention that deportation was unnecessary.

Personal Notes

ENGAGEMENTS

An engagement was announced recently of Eiko, second daughter of Mr. and Mrs. S. Koga of Kelowna to Mr. Hideo Harry Chiba third son of Mr. and Mrs. T. Chiba of Vernon.

Baishakunins were Mr. and Mrs. T. Ogata and Mr. and Mrs. T. Sonoda.

The betrothal was announced of Emiko, daughter of Mr. and Mrs. Z. Oikawa of Carey, Man. to Mr. Ross S. Matsuba of Winnipeg, Man., third son of Mr. and Mrs. S. Matsuba of Kaslo, B. C., on June 4. The go-betweens for this happy occasion were Mr. and Mrs. J. Sato of Winnipeg.

CARD OF THANKS

I wish to express my sincere thanks to my friends and the patients at the Sanatorium for remembering me during my recent illness. I also wish to thank the staff of the Slocan Community Hospital for their kindnesses.

Yuki Suzuki
New Denver, B. C.

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Mr. and Mrs. H. Hyodo and family wish to express their deepest appreciation for all the kind expressions of sympathy extended to them on the recent bereavement of their daughter and sister Aki who passed away suddenly on May 27 at Montreal.

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The patients of the New Denver Sanatorium extend their sincere gratitude to Mrs. Fahrni and Miss Lawson of New Denver and Mrs. Kiso Kawahara of Sandon for their kind donation of books to further enlarge the fast growing San Library.

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Mrs. [illegible] and family wish to inform their many friends of the change in address. They have moved from Portage la Prairie, Man. to their present address [illegible]

A Few Vets Recall They Fought for Democracy

(From the Vancouver Province)

VANCOUVER, B. C.—Delegates attending opening business sessions of the B. C. Command, Canadian Legion's 16th annual convention in Hotel Vancouver Friday afternoon, voiced a vociferous "aye" to a resolution demanding that all of Japanese origin be expatriated to Japan at war's end, then broke into a bedlam of conflicting stands on the question.

Two resolutions on the agenda were wiped out and a resolution substituted which was passed by the 1942 Dominion convention.

Delegates stormed to their feet all over the convention floor in the big Mayfair room.

Reversing usual order the delegates passed the resolution asking for expatriation, then argued it out afterwards in a hot-worded debate.

The resolution passed, a delegate jumped to his feet to suggest a covering letter be sent to Ottawa, accompanying the resolution, to say that the convention felt there was no room in B. C. after the war for any Japs.

There were loud cheers of "hear, hear."

HEATED DEBATE

The debate was on. One delegate rose to say he had five sons in the service overseas and could not understand the "absolute intolerance" of the resolution.

"If we had any gumption," he shouted angrily, "we would have a fighting battalion of Japs like they have in the United States. The intolerance of that resolution is comparable with Nazism."

There were a few cries of "hear, hear."

Another delegate faced the chair. "You just can't trust any Jap," he said with conviction.

Then the New Veterans took a stand.

"The New Veterans have gone on record unanimously as favoring the expatriation of all Japs from Canada," their delegate said.

"Japanese youths who have received the best education here have disappeared and turned up fighting in this war for Japan."

A delegate of the first war group disagreed.

The whole thing, in his opinion, was a problem for education.

He believed the Japanese should be spread across Canada rather than concentrated in one province, like B. C.

"I have never seen Japanese and white children fight at school," he argued. "Anyone born under the British flag does not belong to any other nation."

Carrying the unanimous approval of the convention, a resolution pertaining to Doukhobors asked that "immediate and drastic action be taken against the sect continuing to defy the laws and customs of Canada."

Another resolution passed at the session asked that all foreign colonies in Canada be broken up.

22 U. S. Soldiers Make Statement Against Prejudice

CHICAGO, Ill. — "We are not fighting to inherit a world full of hatred and suspicion" is the combined statement of 22 American soldiers made to Peggy Hull, "Milwaukee Journal" correspondent, writing from an American base in the Central Pacific area recently.

Peggy Hull was the only accredited woman war correspondent of World War I and is now the only woman reporter covering active fronts in the Central Pacific.

In a feature article in the Milwaukee paper, she tells the thoughts of a group of soldiers just returned to their base from two battle engagements. Thus she wrote:

"These men deplored racial prejudice and the various ways in which it was manifested. They were emphatic about their belief that an American Japanese should be given as much opportunity to demonstrate his loyalty as a German American. They deplored the action of the people at Great Meadow, N.J. where a farmer was forced to send away five Japanese who were working for him.

"When the people at home stage a scene like that, we feel betrayed. Why can't they let us do the fighting out where it belongs."

"PROPERTY RIGHTS" cont. from page 7

are not as wide as those of the Enemy Custodian. This fact influences the quality of his position to such an extent that he is not able to sell like the Enemy Custodian and is limited to control and management.

A lengthy argument proceeded on whether he was the Crown and cases were given to show that he was. It was argued that it would be invalid to pass legislation and then bring in further legislation to state that this legislation was not reviewable and thereby try to disturb the division of powers of the B. N. A. Act.

BREACH OF CONTRACT

The next point was the claim that sale meant a breach of contract. The suppliants entered into a contract with the Crown under the order-in-council when they left the protected area, and before they left, voluntarily listed their property with the Custodian.

A case was cited and the maxim brought in which states if the terms of the contract are broad, the liabilities and remedies are equally as broad. In treating the implied contracts arguments, the counsel for the suppliants pointed out that since the contract was entered when the voluntary listing took place on the strength of the then existing order-in-council which specifically stated that control and management was for protection only, so its term could not be altered with any subsequent order and changed to liquidation and sale, even if this order is ultra vires.

Arguing on the point of whether the Custodian was a trustee, it was submitted that the Custodian could be a trustee when the Crown may not. For this purpose the Governor-in-Council is the trustor and the Custodian being a servant of the Crown is in possession of the property as a Crown servant. In rebutting the claim of the respondent, (Mr. Varcoe) that the case did not meet the tests of the trusts stated by Underhill, the beneficiaries were stated to be clearly the Japanese owners, the duties to manage and control the properties while the owners were away and to protect their interest and to return the property when owners were able to return without prejudice.

The judge asked what would be a solution if no Petition of Right lay against the Crown. That seemed to be the first point on which the judge would have to make the statement.

In summing up the case, Mr. Varcoe, counsel for the respondents took up the point of whether the court could hear the matter of the validity of the last order if the Custodian was not the Crown. This would be the point of whether the order-in-council was valid or not. It was questioned by the judge how the order could come before the court except on a Petition of Right. If he were not the Crown, the matter would [illegible] be brought to Exchequer Court for declaration.

The central question of the case was resolved to whether or not the Custodian was the Crown and this was the first question which had to be decided, otherwise no petition could be heard in the Exchequer Court.

Mr. Justice Thorson stated that if the Custodian was the Crown the second matter of the validity of the order could be decided. On the other hand if the Custodian was not the Crown the Petition of Right would be dismissed and no relief would be sought from the Crown.